

**Village of Hamilton
Board of Trustees
Regular Meeting of February 14, 2012
6:00pm**

APPROVED MINUTES

Present: Mayor Margaret Miller; Trustees: Russ Lura, Anne Clauss, Deb Kliman, and Sam Cooper; Village Administrator Sean Graham; Village Treasurer Mary Ann Henderson

Public Present: Carolyn Godfrey, Mid-York Weekly; Dave Hollis, RadioFreeHamilton.com; Ken Werner, Shelley Werner, Margaret D Marangot; John Basher; Harvey Kliman; Ron Hoham; Anneliese Gretsche; Dr. Rich Cohen; Jim Leach; Attorney Jim Stokes; Marjorie Cohen; Dominick Pangallo; Carolyn Todd; John Bowen; Joanne Borfitt; Tori Carhart; Christine Andola; John Stockton; John Pumilio; Bob Holcomb; Chris Carhart; Ed Carhart; Shirl Truett; Dr. Merrill Miller; Peter Yacavone; Jerry Fuller; John Hershey; Bob Kuiper; Kathy Herold; Bob Sullivan; Dave Dineen; Sue Farrington; Ruth & Vi Ransel; Charlie Naef; Bob & Sue McVaugh; Rob Gustafson; Joyce Nevison; Tom Myers; Jane Welsh; Daryl Wilson; Abby Rowe; Donna Close; Matt Leone; Shelly Crouch; Harold Gibson; Judith Straub; Bill Porta; Regina Sylvestri, Robert Johnson; JC & Lorraine Kaimal; Bill Todd; Charlotte Droll; Nicole Hopper

The Mayor called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

Approval of Agenda: A **motion** was made by Trustee Clauss to approve the agenda as presented. The **motion** was seconded by Trustee Cooper and carried.

Approval of Minutes

Regular Meeting of January 10, 2012: Trustee Kliman requested the following corrections: top of page 4-airport add "to be discussed", top of page 5- remove the "IT", add "be" under equalization rate, page 16, 1st line add "d" to purchase, page 19 add comma after express charges, page 20 add a "d" to increase, page 21 second WHEREAS add "Access to". A **motion** was made by Trustee Clauss to approve the minutes as amended. The **motion** was seconded by Trustee Kliman and carried.

Public Hearing of January 10, 2012: A **motion** was made by Trustee Kliman to approve the minutes of January 10, 2012, as presented. The **motion** was seconded by Trustee Cooper and carried.

Special Meeting of January 26, 2012: A **motion** was made by Trustee Kliman to approve the minutes as presented. The **motion** was seconded by Trustee Lura and carried.

Public Comment: Snowmobiles on Trails: Harvey Kliman, 22 W. Pleasant, gave a brief history of concept that started 3 years ago to have a trail from Utica to Binghamton. Mr. Kliman is very upset with the recent addition of snowmobile signs on the trail. He stated the Village Code 137, which states that snowmobiles are not allowed in the Village after 10pm, and may not be within 200 ft. of a home. Mr. Kliman wants the signs taken down and snowmobiles not to be allowed on the trails. Ken Werner, Butternut Lane in Hamilton, is an avid user of the trails. He stated there is no way that skiers, walkers, or snowshoers can be on the same trail safely as a motorized vehicle, that pedestrians and snowmobilers are incompatible. Ron Hoham, 78 Eaton Street, uses the trail often. He agrees that snowmobiles and pedestrians do not mix. He stated he is also concerned with the noise level of the snowmobiles. Richard Cohen, 34 College St, distributed a photo of the sunrise at Woodman's Pond and a list of birds that have been identified at the Pond. Mr. Cohen asked what is the advantage, to the Village, was allowing snowmobiles on the trails, he was also concerned with the possibility of a snowmobile falling into Woodman's Pond, our emergency water source, and the fact that drinking alcohol is a problem with snowmobilers. Ron Hoham stated that dirt bikes, ATV's and golf carts are currently using the trails. Trustee Cooper asked if the snowmobile clubs were contacted to discuss the issues raised. They have not. John Bowen would like motorized vehicles banned. Marjorie Cohen, College Street, asked not wait until something bad happens. Trustee Lura stated he sees no reason for snowmobiles to come to the village from the Courthouse to the Airport. Mr. Werner and Trustee Kliman both agree that there are thousand of miles of trails for snowmobilers to use other than this small area in the Village. Trustee Cooper asked if there was any way to co-exist or to share the trail. He was told no. Trustee Clauss stated that the APC should be consulted. Administrator Graham stated that most of the property belongs to the MUC. Trustee Cooper stated laws should be further investigated. Trustee Cooper referenced code 137.4. The signs will be taken down as soon as possible.

Habitat for Humanity Resolution: Colgate student Anneliese Gretsche, from Habitat for Humanity, requested the use of the Gazebo and that E Broad St. be closed on April 15, 2012 for a 5k run.

HABITAT FOR HUMANITY ROAD CLOSURE AND 5K RUN EVENT RESOLUTION #17-2012

WHEREAS, the Habitat for Humanity Organization has requested the use of the Village Green and the closure of E Broad Street on April 15, 2012 from 9am-1pm; and

WHEREAS, the Habitat for Humanity Organization will be responsible for the signs required for the road closure; and

NOW THEREFORE, BE IT RESOLVED, that the Village of Hamilton Board of Trustees has approved the event and the road closure.

Motion: Trustee Clauss
Seconded: Trustee Kliman
Carried: Unanimously

The Mayor presented Trustee Clauss with a certificate of appreciation for her many years of service and we will miss her.

Appointment of new member to Pedestrian Safety Committee:

**APPOINTMENT OF JULIE DUDRICK
TO THE PEDESTRIAN SAFETY COMMITTEE
RESOLUTION #18-2012**

BE IT RESOLVED, that the Village of Hamilton Board of Trustees has appointed Julie Dudrick to the Pedestrian Safety Committee until 7/15/14.

Motion: Trustee Clauss
Seconded: Trustee Cooper
Carried: Unanimously

Request for CNS to have Touch A Truck Event:

**CHENANGO NURSERY SCHOOL
TOUCH-A-TRUCK EVENT
RESOLUTION #21-2012**

BE IT RESOLVED, that the Village of Hamilton Board of Trustees approved the CNS request to hold their annual Touch-A-Truck Event on June 2, 2012 from 10am-2pm at Hooks Wiltse Field.

Motion: Trustee Cooper
Seconded: Trustee Clauss
Carried: Unanimously

MAYOR MILLER's REPORT

The Village attorney Jim Stokes reported to the Mayor that three judges of the Madison County Supreme Court have recommended to the full Appellate Division Court in Albany that the annexation of the Wendt property into the Village of Hamilton be allowed as it found to be in the over all public interest.

The Village is in the process of negotiating an agreement with the Town of Hamilton to share our codes enforcement officer.

Colgate student Jordan Sheiner has invited the Mayor, to participate in another Town Gown event on Saturday, February 25, 2012, beginning at 2:30pm, at Reid Athletic Center for athletic events, games, food, and fun.

On January 31, 2012, the Mayor and Chief Gifford attended the first meeting of the Hamilton Community Coalition facilitated by Bridges of Madison County. The focus was on substance use and abuse prevention in the Hamilton Community and to prepare the coalition to apply for a Federal Drug Free Communities Grant. The Coalition plans to meet every other month.

The Mayor attended the HBA meeting on February 7, 2012. Over 25 members were in attendance. Discussion included increasing their membership and plans for partnering with the Rotary to hold the Father's Day Fly-In Pancake Breakfast.

On February 8, 2012, Chief Gifford, Mayor Miller, Officer Mordus, and Officer Worthley attended the 24th annual Law Enforcement Day Luncheon in Wampsville at which both officers received awards for their work on DWI arrests.

On February 9, 2012, the Mayor attended the Upstate Institute Community Board meeting. Discussion included the applications being accepted for 20 intern slots for the summer field school. Colgate will be hosting Abolitionist Hall of Fame. The COVE will be hosting a celebration of service on April 14, 2012, to honor their many student volunteers.

The Mayor and Administrator Graham have been providing information regarding the Village's Natural Gas Project to the Hamilton Club.

The Mayor will be attending a meeting on February 15, 2012, with Colgate students Kathryn and Katie of the Panhellic Association, the Board that governs Colgate's three female Greek Letter Organizations. They are looking for a service projects to be done on March 24 or 24, 2012.

TRUSTEE COOPER'S REPORT

Hamilton Police Department: Trustee Cooper and Treasurer Henderson are working on submitting a 211 Waiver. Traffic control signage is being updated. The first draft of a new noise ordinance has been given to the Trustees and Administrator Graham for review and input.

Hamilton Fire Department: They are gathering information to write specifications for a new combined 1,000-1,800 gallon tanker and pumper truck.

Hamilton Court: Received word that they will be receiving a JCAP grant for \$21,000.00.

Pedestrian Safety: Have added two Colgate student ad hoc members. There is no funding available for the Safe Routes to School program this year.

Campus Safety: No report

Shared Services Committee: Design continues on the landing page.

5 Way Intersection Task Force: No report.

TRUSTEE KLIMAN'S REPORT

Library Board: The Board presented its budget. Barb Coger presented her report that will be submitted to NYS. The circulation in the Village has increased by approximately 1,000, and in the Town by about 2,000. More than 6,000 people have used the public computers. The Library is asking for \$3979.00 plus benefits to pay Barb Coger for the month of September to train the new librarian, plus an extra \$1000.00 for miscellaneous expenses.

Historical Commission: No report

Recreation Commission: Harry Jarcho met with Treasurer Henderson to work on the Recreation budget. The Town of Hamilton will contribute \$10,000.00 towards the summer program.

Parks Advisory Committee: Meets next week.

Mural Commission: No report.

4th of July Committee: The theme this year is "America the Beautiful". Dave Felton will be the grand marshal. Several bands have already committed to attend.

Farmers' Market: After more investigation, the issue of dogs being allowed at the Farmer's Market has been dropped. The idea of not using retractable leashes was discussed as an option to help control dogs that are at the market.

Trails Committee: Issue of snowmobiles on the trails was discussed during public comment.

Symphony Committee: No report.

TRUSTEE LURA'S REPORT

MUC: Poles have been replaced along Utica Street. They will set poles at the Airport in order that cable can be brought to the buildings. The Commission voted to recommend that the Board write off a number of uncollectable utility charges. The Commission was updated on the natural gas project, on the rate case, and on the progress of the ION's implementation.

Streets, Sidewalks and Streetscape: No report.

DPW and Solid Waste Management: The DPW continues to concentrate on repairs and upkeep thanks to the good weather. They completed ditching along East Lake Road and the feeder canal. Randy Weaver has been working on the 2012-2013 budget. The DPW cleaned away brush from the White property. Madison County is experimenting with the use of the salt brine mixture at the Wampsville complex.

SALT BRINE RESOLUTION:

SALE OF SALT BRINE

RESOLUTION NO #24-2012

WHEREAS, the Village of Hamilton has the facilities and equipment to produce salt brine, an anti icing liquid; and

WHEREAS, the Madison County Highway Department has an interest in testing the product and its effectiveness on County Roads; and

NOW THEREFORE BE IT RESOLVED, that the Village of Hamilton shall supply premixed salt brine product to the Madison County Highway Department for a period of three (3) months from February 1st 2012 through April 31st, 2012; and

BE IT FURTHER RESOLVED, that the Madison County Highway Department shall reimburse the Village of Hamilton for the salt, magnesium chloride and water used to produce the salt brine; and

BE IT FURTHER RESOLVED, that the Madison County Highway Department shall reimburse the Village of Hamilton by replacing said product required for producing the salt brine or through direct payment for the cost of said products.

Motion: Trustee Clauss

Seconded: Trustee Cooper

Carried: Unanimously

Madison Street Cemetery: No report.

TRUSTEE CLAUSS' REPORT

Economic Development

PCD: No report.

Hamilton Initiative: No report.

Zoning Board of Appeals: No report.

Planning Board: Work was completed on the zoning change.

Airport/Airpark Commission:

Tree Committee: No report.

Compost Club: No report.

ADMINISTRATOR GRAHAM's REPORT

New Business

NO Cost Extension General Aviation 0 match Grant Resolution:

CODE OF ETHICS POLICY RESOLUTION:

**Village of Hamilton
Code of Ethics
Resolution #23-2012**

WHEREAS, article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest, and

WHEREAS section 806 of the General Municipal Law requires the governing body of each county, city (other than the City of New York), town, village, school district and fire district to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them, and

WHEREAS section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics, and

WHEREAS, a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation before the local governing body, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment, and such other standards as may be deemed advisable.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Hamilton hereby adopts a code of ethics.

Motion: Trustee Clauss

Seconded: Trustee Kliman

Carried: Unanimously

Gallik Property: Environmental issues were discussed. Phase I –will cost approximately \$4,500.00, and Phase II - \$9,500.00. Trustee Lura stated once the Village takes over control of the property, the Village will be responsible for all clean up. The Board would like Administrator Graham to explore options with the Gallik's.

TREASURER HENDERSON'S REPORT

Garam Group: Treasurer Henderson explained to the Board the three companies she contacted and their proposals. She is recommending the Garam Group with Prosoft for back up only. The cost will be approximately \$35,000.00 and will come from Fund Balance. The Trustees selected the Garam Group and will wait for a contract to vote. Establishing an office technology reserve was briefly discussed.

Trustee Lura would like the Village of Hamilton to have its own contract. Our vendor's should modify our contract not the other way around.

Resolution for \$3500.00 from Madison Cty for substance abuse:

GENERAL FUND BUDGET MODIFICATION Police – Personal Services (01-5-3120.100) RESOLUTION NO #25-2012

WHEREAS, the Village of Hamilton was awarded a grant for \$9,000.00 from Madison County Council on Alcoholism & Substance Abuse, Inc., on January 20, 2011 of our last fiscal year, to be used by the Police Department to enforce the Underage Drinking Law; and

WHEREAS, the budget was not amended for the increase of funds in revenues to offset the expenditures to comply with the regulations of the grant; and

WHEREAS, the Police Department monitored their use of these funds for the required reporting to Madison County Council on Alcoholism & Substance Abuse, Inc., which confirms a balance of the grant of \$6,153.23 as of May 31, 2011; and

WHEREAS, a purchase order was not processed, to secure the balance of the funds at the end of the 5/31/11 fiscal year nor was there an adjustment in the current 2011-2012 budget to reflect the balance to bring forward into the current budget; and

WHEREAS, when the accounting books were closed for the 2010-2011 budget, the balance of \$6,153.23 from the grant would have become part of the General Fund Unappropriated Fund Balance, and

NOW THEREFORE BE IT RESOLVED, that the General Fund Appropriated Fund Balance (01-1-0599.000) and the Police - Personal Service (01-5-3120.100) appropriation be increased to amend the 2011-2012 budget by the \$6,153.23.

Motion: Trustee Clauss
Seconded: Trustee Cooper
Carried: Unanimously

Resolution for insurance recovery-north Brookfield:

GENERAL FUND BUDGET MODIFICATION

Fire Fighting – (01-5-3410.400)

RESOLUTION NO #26-2012

WHEREAS the Village of Hamilton has received funds for damages to Fire Department Equipment from an incident that occurred in N. Brookfield for \$7,910.45 from the Utica National Insurance Group, and

WHEREAS, these funds were not and could not have been budgeted for in the 2010-2012 budget in the Insurance Recoveries Revenue line item (01-4-2680.000); and

WHEREAS, the Fire Department replaced the damaged equipment and has disbursed the expense from the Fire Fighting (01-5-3410.400) appropriation of the 2011-2012 budget; and

NOW THEREFORE BE IT RESOLVED, that the 2011-2012 budget be amended to

increase the Insurance Recoveries (01-4-2680.000) Revenues and the Fire Fighting (01-5-3410.400) Appropriation line items of the 2011-2012 budget by \$7,910.45.

Motion: Trustee Cooper
Seconded: Trustee Clauss
Carried: Unanimously

Resolution-NorthShore Solutions:

GENERAL FUND BUDGET MODIFICATION

Clerk Treasurer (01-5-1325.400)

FINANCE RESOLUTION NO. 27-2012

WHEREAS the Village of Hamilton, at a regularly scheduled meeting held on January 10, 2012, approved and recommended the Mayor to sign an agreement with North Shore Solutions for Website Site design and development in the amount of \$2,042.50; and

WHEREAS, the cost of the above mentioned service has been budgeted for in the 2011-2012 budget; and

WHEREAS, the General Fund Unappropriated Fund Balance has sufficient funds to cover the total cost of \$2,042.50

NOW THEREFORE BE IT RESOLVED, that General Fund's Appropriated Fund Balance (01-1-0599.000) and the General Fund Clerk Treasurer (01-5-1325.400) Appropriation line item of the 2011-2012 budget, be increase by \$2,042.50.

Motion: Trustee Lura
Seconded: Trustee Clauss
Carried: Unanimously

Resolution-Police training grant \$3500.00: Trustee Lura stated his concern over spending money out of appropriations without the revenue coming in. Trustee Lura wants the Board to approve grant applications.

GENERAL FUND BUDGET MODIFICATION

Police – Personal Services (01-5-3120.100)
&
Police – Contractual (01-5-3120.400)

RESOLUTION NO #28- 2012

WHEREAS the Village of Hamilton has received Scholarship funds from the International Law Enforcement Educators and Trainers Association, LLC, to be used towards Officer Longden's tuition, training, materials and supplies expenses, for his employment with the Village of Hamilton in the amount of \$3,500.00 for the 2011- 2012 fiscal year; and

WHEREAS, these funds were not included in the 2011-2012 fiscal year budget; and

WHEREAS, the Police Department has expenditures for Officer Longden's tuition, training, materials, and supplies as a Police Officer for the Village of Hamilton; and

NOW THEREFORE BE IT RESOLVED, that the General Fund Gift and Donations (01-4-2705.000) Revenues be increased by \$3,500.00, the Police - Personal Service (01-5-3120.100) Appropriation be increased by \$2,000.00 and the Police – Contractual (01-5-3120.400) Appropriation be increased by \$1,500.00 to reflect the above scholarship donation for the 2011-2012 budget.

Motion: Trustee Cooper
Seconded: Trustee Kliman
Carried: Unanimously

Resolution-Buildings appropriations-Salt Brine:

GENERAL FUND BUDGET MODIFICATION

Buildings (01-5-1620.400)

FINANCE RESOLUTION NO. 30-2012

WHEREAS the Village of Hamilton has built a Salt Brine Building and purchase equipment to create the Salt Brine; and

WHEREAS, the Buildings (01-5-1620.400) Appropriation has been over extended and

will require \$17,000.00 additional funds until the end of the Fiscal year; and

WHEREAS, the Village has funds available in the General Fund's Unappropriated Fund Balance (01-1-0911.000) to cover this extension.

NOW THEREFORE BE IT RESOLVED, that the General Fund Appropriated Fund Balance (01-01-0599.000) and the Buildings (01-5-1620.400) appropriation line item of the 2011-2012 budget be increased by \$17,000.00 from the General Fund's Unappropriated Fund Balance (01-1-0911.000)

Motion: Trustee Clauss

Seconded: Trustee Kliman

Carried: Unanimously

Resolution-Police Vehicle-\$26183.00

GENERAL FUND BUDGET MODIFICATION

Police - Equipment (01-5-3120.200)

FINANCE RESOLUTION NO. 31- 2012

WHEREAS the Village of Hamilton purchased a 2011 Ford LTD Crown Victoria for a total amount of 26,183.00; and

WHEREAS, the Police - Equipment (01-5-3120.200) Appropriation has been over extended and will require \$14,683.00 additional funds until the end of the Fiscal year; and

WHEREAS, the Village has funds available in the General Fund's Unappropriated Fund Balance (01-1-0911.000) to cover this extension.

NOW THEREFORE BE IT RESOLVED, that the General Fund Appropriated Fund Balance (01-01-0599.000) and the Police - Equipment (01-5-3120.200) appropriation line item of the 2011-2012 budget be increased by \$14,683.00 from the General Fund's Unappropriated Fund Balance (01-1-0911.000)

Motion: Trustee Cooper

Seconded: Trustee Lura
Carried: Unanimously

Resolution-Serial Bonds:

GENERAL FUND BUDGET MODIFICATION

Serial Bonds - Principal (01-5-9710.600) & Serial Bonds - Interest (01-59710.700)

FINANCE RESOLUTION NO. #29-2012

WHEREAS the Village of Hamilton has a Debt Service principal and interest payment for the 1999 Bond due May 15, 2012, for a total amount of \$85,562.80; and

WHEREAS, the Serial Bond - Principal (01-5-9710.600) & the Serial Bond - Interest (01-5-9710.700) Appropriations do not have enough budgeted to process the upcoming payment and will require \$85,777.60 additional funds; and

WHEREAS, the Village has funds available in the General Fund's Unappropriated Fund Balance (01-1-0911.000) to cover this extension.

NOW THEREFORE BE IT RESOLVED, that the General Fund Appropriated Fund Balance (01-1-0599.000), the Serial Bond - Principal (01-5-9710.600) appropriation line item be increased by \$83,772.00 and the Serial Bond – Interest (01-5-9710-700) appropriation line item be increased by \$2,005.60 for the 2011-2012 budget from the General Fund's Unappropriated Fund Balance (01-1-0911.000)

Motion: Trustee Lura
Seconded: Trustee Clauss
Carried: Unanimously

Resolution-create gas utility fund

GENERAL FUND BUDGET MODIFICATION

General Fund loan to Gas Utility (01-59710.700)

FINANCE RESOLUTION NO. 32- 2012

WHEREAS the Village of Hamilton has agreed to research the establishment of a municipal own Gas Utility for the Village of Hamilton; and

WHEREAS, expenditures from that Gas Utility Fund is expected for the initial research and upstart for this Gas Utility; and

WHEREAS, the Village has funds available in the General Fund's Unappropriated Fund Balance (01-1-0911.000) to loan the Gas Utility Fund, which will be re-paid from Proceeds of Bonds of the Gas Utility, if applicable.

NOW THEREFORE BE IT RESOLVED, that a Gas Utility Fund be created internally, for accounting purposes, for the Village of Hamilton and that the General Fund Appropriated Fund Balance (01-1-0599.000) supply the Gas Utility Fund for the initial upstart and research for the establishment of the Gas Utility for the 2011-2012 budget.

Motion: Trustee Clauss

Seconded: Trustee Lura

Carried: Unanimously

Resolution-Cyber Security

VILLAGE OF HAMILTON
CYBER SECURITY CITIZENS' NOTIFICATION POLICY
RESOLUTION #33-2012

1. This policy is consistent with the State Technology Law, section 208, as added by Chapters 442 and 491 of the laws of 2005. This policy requires notification to impacted New York residents and non-residents. Village of Hamilton values the protection of private information of individuals. Village of Hamilton is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and this policy.

2. Village of Hamilton, after consulting with CSCIC to determine the scope of the breach and restoration measures, shall notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of private information through unauthorized disclosure.

3. A compromise of private information shall mean the unauthorized acquisition of unencrypted computerized data with private information.

4. If encrypted data is compromised along with the corresponding encryption key, the data shall be considered unencrypted and thus fall under the notification requirements.

5. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.

6. Village of Hamilton will notify the affected individual. Such notice shall be directly provided to the affected persons by one of the following methods:

- Written notice;
- Electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification is kept by Village of Hamilton who notifies affected persons in such form;
- Telephone notification provided that a log of each such notification is kept by Village of Hamilton who notifies affected persons; or
- Substitute notice, if Village of Hamilton demonstrates to the State Attorney General that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or Village of Hamilton does not have sufficient contact information. Substitute notice shall consist of all the following:

A. E-mail notice when Village of Hamilton has an e-mail address for the subject persons

B. Conspicuous posting of the notice on Village of Hamilton's web site page, if Village of Hamilton maintains one; and

C. Notification to major statewide media

7. Village of Hamilton shall notify CSCIC as to the timing, content, and distribution of the notices and approximate number of affected persons.

8. Village of Hamilton shall notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content, and distribution of the notices and approximate number of affected persons.

9. Regardless of the method by which notice is provided, such notice shall include contact information for Village of Hamilton making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

10. This Policy also applies to information maintained on behalf of Village of Hamilton by a third party.

11. When more than five thousand New York residents are to be notified at one time, then Village of Hamilton shall notify the consumer reporting agencies as to the timing, content, and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

Motion: Trustee Lura
Seconded: Trustee Kliman
Carried: Unanimously

Resolution-Delinquent Accounts Write-off

RESOLUTION
#34-2012

BE IT RESOLVED, that the Village of Hamilton Board of Trustees authorizes the list of uncollectable accounts totaling \$15,457.94 to be written off.

Motion: Trustee Lura
Seconded: Trustee Cooper
Carried: Unanimously

Treasurer Henderson distributed the latest sales tax received information to the Trustees.

Resolution-Bollam, Sheedy & Torani:

RESOLUTION
#35-2012

BE IT RESOLVED, that the Village of Hamilton Board of Trustees authorizes the Mayor to execute a 3year contract with Bollam, Sheedy, & Torani at \$49,500.00 per year.

Motion: Trustee Lura
Seconded: Trustee Cooper
Carried: Unanimously

Village Court reports were distributed for Trustee review.

Resolution-Abstracts & Transfers:

Treasurer's Report

February 14, 2012

Resolution NO. 36- 2012

At a regular or special meeting of the Board of Trustees for the Village of Hamilton, upon motion duly made and seconded, the following Resolution was adopted by a majority of the Board present entitled to vote thereon:

RESOLVED, By the Board of Trustees of the Village of Hamilton that the below listed Abstracts are approved.

Abstracts

Check

Date

General

8b	16,023.17	1/13/2012
8c	15,578.96	1/20/2012
8d	18,929.16	1/27/2012
9a	17,066.07	2/3/2012
9b	14,422.88	2/10/2012
9c	13,952.98	2/17/2012

Paid Expenses

15,896.32

9A

127,167.65

Monthly Vouche

Airport

8b	875.26	1/13/2012
8c	958.67	1/20/2012
8d	1,363.04	1/27/2012
9a	958.78	2/3/2012
9b	964.54	2/10/2012
9c	1,730.14	20/17/12

Paid Expenses

29,419.85

9A

75,041.69

Monthly Vouche

Electric

8b	7,200.24	1/13/2012
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	8c	6,620.31	1/20/2012
	8d	8,114.31	1/27/2013
	9a	7,158.64	2/3/2012
	9b	6,819.77	2/10/2012
	9c	7,020.48	2/17/2012
	Paid Expenses	157,885.57	
	9A	152,054.82	Monthly Vouche
Water			
	8b	1,301.02	1/13/2012
	8c	2,104.57	1/20/2012
	8d	1,552.61	1/27/2013
	9a	1,146.02	2/3/2012
	9b	1,402.47	2/10/2012
	9c	1,222.93	2/17/2012
	Paid Expenses	2,554.06	
	9A	5,543.60	Monthly Vouche

Sewer	8b	3,043.55	1/13/2012
	8c	2,984.87	1/20/2012
	8d	3,209.06	1/27/2013
	9a	2,892.98	2/3/2012
	9b	2,997.40	2/10/2012
	9c	2,797.27	2/17/2012
	Paid Expenses	9,246.46	
	9A	13,979.73	Monthly Vouche
Recreation	9A	300.00	Monthly Vouche
Library	8b	1,718.12	1/13/2012
	8c	1,718.12	1/20/2012
	8d	3,476.84	1/27/2013
	9a	1,690.64	2/3/2012
	9b	1,745.60	2/10/2012
	9c	1,800.56	2/17/2012
	Paid Expenses	1,009.60	
	9A	2,590.23	Monthly Vouche
Gas	9A	336.71	Monthly Vouche
Trust & Agency	9A	2,367.58	Monthly Vouche
Airport/CP	9A	528,609.46	Monthly Vouche

Motion: Trustee Cooper
 Seconded: Trustee Lura
 Carried: Unanimously

Resolution NO. 37- 2012

At a regular or special meeting of the Board of Trustees for the Village of Hamilton, upon motion duly made and seconded, the following Resolution was adopted by a majority of the Board present entitled to vote thereon: RESOLVED, By the Board of Trustees of the Village of Hamilton that the below listed transfers are approved.

Transfers

General

FROM:	5-1325.400	Clerk Treasurer	-299.71
TO:	5-1325.200	Treasurer - Equipment	299.71
FROM:	5-9015.800	NYS Fire and Police Retirement	-1,000.00
TO:	5-3410.100	Fire Custodian	1,000.00
FROM:	5-5142.100	Snow Removal-Personal Services	-3,975.40
TO:	5-5142.450	Snow Removal	3,975.40
FROM:	5-7110.100	Parks-Personal Service	-15.75
TO:	5-7110.410	Parks	15.75
FROM:	5-7510.400	Historian	-4.99
TO:	5-7550.400	Celebrations	4.99
FROM:	5-9015.800	NYS Fire and Police Retirement	-4,101.58
TO:	5-8010.400	Zoning	4,101.58
FROM:	5-9015.800	NYS Fire and Police Retirement	-12,584.00
TO:	5-9040.800	Workers' Compensation	12,584.00

Airport

FROM:	5-9710.600	Serial Bond - Principal	-2,800.00
TO:	5-5610.410	Airport Contractual	2,800.00

Water

FROM:	5-9710.700	Serial Bond - Interest	-43,000.00
TO:	5-8340.400	Transmission & Distribution	43,000.00

Sewer

FROM:	5-9710.600	Serial Bond - Principal	-1,427.00
TO:	5-1910.400	Unallocated Insurance	1,427.00
FROM:	5-9710.600	Serial Bond - Principal	-5,000.00
TO:	5-8120.100	Sanitary Sewers – Personal Services	5,000.00
FROM:	5-9710.600	Serial Bond - Principal	-5,000.00
TO:	5-8130.100	Sewer Treatment & Disp Pers Serv	5,000.00
FROM:	5-9710.600	Serial Bond - Principal	-2,000.00
TO:	5-8130.400	Sewage Treatment Exp	2,000.00
FROM:	5-9710.600	Serial Bond - Principal	-4,500.00
TO:	5-8130.410	Sewage Treatment Lab	4,500.00

Library

FROM:	5-9060.800	Hosp / Medical Insurance	-284.00
TO:	5-7410.200	Equipment	284.00
FROM:	5-9060.800	Hosp / Medical Insurance	-500.00
TO:	5-7410.430	Library Expenses	500.00
FROM:	5-9060.800	Hosp / Medical Insurance	-500.00
TO:	5-9045.800	Disability Insurance	500.00

Mary Ann Henderson, Treasurer

Motion: Trustee Lura
Seconded: Trustee Kliman
Carried: Unanimously

APPROVAL of CLAIMS

A **motion** was made by Trustee Cooper to approve January's claims. The **motion** was seconded by Trustee Lura and carried.

The January Bank Statement has been balanced and the Mayor has reviewed.

Resolution Village Credit Card: Trustee Lura wants a voucher used whenever possible.

RESOLUTION
#39-2012

BE IT RESOLVED, that the Village of Hamilton Board of Trustees authorizes the Village of Hamilton to have two (2) credit cards to be in the names of Alana Scheckler and Mary Ann Henderson.

Motion: Trustee Cooper
Seconded: Trustee Lura
Carried: Unanimously

Resolution-Public Hearing March 13, 2012, 7pm:

RESOLUTION
#41-2012

BE IT RESOLVED, that the Village of Hamilton Board of Trustees will hold a Public Hearing on March 13, 2012. at 7pm, at the Village Courthouse to discuss the 2% Tax Cap.

Motion: Trustee Lura
Seconded: Trustee Kliman
Carried: Unanimously

Resolution-Village Elections

**2012 VILLAGE ELECTION
RESOLUTION # 38-2012**

BE IT RESOLVED, that the Village of Hamilton Election will take place on Tuesday, June 19, 2012, from 12:00 noon to 9:00p.m. at the Hamilton Public Library, 13 Broad Street, Hamilton, New York, 13346.

Motion: Trustee Lura
Seconded: Trustee Cooper
Carried: Unanimously

Resolution-Town of Lebanon

**RESOLUTION
#42-2012**

BE IT RESOLVED, that the Village of Hamilton Board of Trustees authorize the Mayor to execute the fire contract with the Town of Lebanon for \$14,064.14.

Motion: Trustee Clauss
Seconded: Trustee Lura
Carried: Unanimously

Resolution-New Trustee Appointment:

**Resolution to Appoint New Trustee
#40**

WHEREAS, there is a vacancy on the Village of Hamilton Board of Trustees created through the resignation of Trustee Anne R. Clauss; and

WHEREAS, under New York State Village Law, vacancies are filled through the appointment of a new member by the Mayor; and

WHEREAS, Mayor Miller has appointed Dominick Pangallo as Trustee to fill her term until the June 2012 Village Elections; and

NOW, THEREFORE, BE IT RESOLVED, that Dominick Pangallo is hereby appointed as Trustee of the Village of Hamilton effective February 15, 2012.

Motion: Trustee Debbie Kliman
Seconded: Trustee Sam Cooper
Carried: Unanimously

EAF Form: Attorney Jim stokes and the Board completed the short form EAF for Local Law 2012-2 Natural Gas - negative declaration - SEQR.

Resolution 19 and roll call

**RESOLUTION NO. __19__
OF THE
BOARD OF TRUSTEES OF THE
VILLAGE OF HAMILTON**

**A RESOLUTION MAKING A DETERMINATION OF
ENVIRONMENTAL NON-SIGNIFICANCE AND ENACTING LOCAL LAW
2012-2
TO CREATE A VILLAGE OF HAMILTON NATURAL GAS UTILITY SUBJECT
TO PUBLIC REFERENDUM AND TO SCHEDULE A SPECIAL VILLAGE
ELECTION AND DESIGNATE THE PLACE, TIME AND ELECTION
INSPECTORS FOR SAID SPECIAL ELECTION TO BE HELD ON APRIL 17,
2012**

WHEREAS, proposed legislation of the Village of Hamilton, entitled “A Local law to Create a Village of Hamilton Natural Gas Public Utility”, has been introduced before this Board on January 10, 2012, and

WHEREAS, the Village of Hamilton is authorized to adopt this local law under the provisions of New York State General Municipal Law Article 14-A, Section 360, *et seq.*, and

WHEREAS, based upon a preliminary feasibility study conducted on behalf of the Village of Hamilton, the creation of a Village natural gas utility is both practically feasible and economically viable, and

WHEREAS, the Municipal Utilities Commission of the Village of Hamilton has reviewed this local law and has recommended its adoption to the Board of Trustees, and

WHEREAS, upon notice duly published, posted and served as required, a public hearing on the adoption of this proposed local law of the Village of Hamilton was held by this Village Board on February 14, 2012, and

WHEREAS, this Board, after due deliberation, finds it in the best interest of the Village of Hamilton to adopt this local law, and hereby confirms and adopts the findings stated in Section I of this local law, and

WHEREAS, this Board has reviewed the short environmental assessment form dated January 1, 2012, and has otherwise considered the likelihood of any potential adverse environmental impacts that might result from the adoption of this local law.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the enactment of proposed local law 2012-2 entitled “A Local law to Create a Village of Hamilton Natural Gas Public Utility”, previously determined by this Board to be an unlisted action with no other involved agencies, will not have any significant adverse effects upon the environment and that a Negative Declaration be prepared and filed. The reasons supporting this determination are that:

1. the action is a legislative act only, and is enacted as a statutory prerequisite to scheduling a public referendum on the action;
2. the enactment of the local law will not result in any physical disturbance of, or changes to the environment and will otherwise have no adverse environmental consequences;
3. the enactment of this local law authorizes expenditure of public funds solely for the conduct of a special Village election, and does not authorize any construction expenditures or any specific development or physical disturbance of the environment; and
4. any such expenditures for construction, and/ or any specific development or physical disturbance of the environment, must be specifically authorized by a further resolution of this Board and shall be preceded by a continued review of any such actions under SEQRA, with this Board continuing to act as lead agency in evaluating the potential for any adverse environmental impacts associated with any such construction and development; and

IT IS FURTHER HEREBY RESOLVED, that the Village of Hamilton Local Law 2012-2, entitled “A Local law to Create a Village of Hamilton Natural Gas Public Utility”, is hereby adopted subject to mandatory public referendum as provided in section 360(5) of the General Municipal Law, and that the Village Clerk be, and hereby is directed to enter said Local Law in the minutes of this meeting and

IT IS HEREBY FURTHER RESOLVED that there be a special election of the Village of Hamilton on April 17, 2012 to consider the adoption of said Local Law 2012-2; and

IT IS HEREBY FURTHER RESOLVED that voting at said special election shall take place at Hamilton Public Library, Hamilton, New York, between the hours of noon and 9:00 p.m., and

IT IS HEREBY FURTHER RESOLVED the proposition to be voted upon at this special election shall read as follows:

PROPOSITION

Shall Village of Hamilton Local Law 2012-2, entitled “A Local law to create a Village of Hamilton Natural Gas Public Utility”, which would establish a Village of Hamilton Natural Gas Public Utility Service under the authority of Article 14-A of the General Municipal Law, be approved?

and

IT IS HEREBY FURTHER RESOLVED that there be four (4) election inspectors for this special election and those inspectors are hereby designated as:

_____ Joyce Nevison, _____ of _____ Hamilton _____, and

_____ Jeanne Rose _____ of _____ Hamilton _____, and

_____ Clara Lance _____ of _____ Hamilton _____, and

that _____ Bev Wise, Hamilton _____ and _____ Marlene Houck, Hamilton _____ shall split the hours and duties of one of the election inspector positions, and

IT IS HEREBY FURTHER RESOLVED that _____ Joyce Nevison _____ Hamilton _____ is hereby designated as Chairman of this special election, and

IT IS HEREBY FURTHER RESOLVED that the election inspectors shall each be compensated in the amount of \$ _____ 10.00 per hour for their services in regard to this special election, and that the Chairman of this special election shall be compensated an additional amount of \$ _____ 25.00 for her services as Chairman, and

IT IS HEREBY FURTHER RESOLVED that all persons who have resided in the Village of Hamilton for a period of at least thirty (30) days prior to April 7, 2012 and are listed as registered voters residing in the Village by the Madison County Board of Elections as of April 7, 2012 shall be eligible to vote at this special election, and

IT IS HEREBY FURTHER RESOLVED that absentee and emergency ballots shall be permitted at this special election in the same manner as in a general Village election.

Dated: February 14, 2012

MOTION: Trustee Lura

SECONDED: Trustee Cooper

CARRIED: Unanimously

Roll Call:

Mayor Margaret Miller – yes
Trustee Anne Clauss – yes
Trustee Sam Cooper - yes
Trustee Debbie Kliman - yes
Trustee Russ Lura - yes

Resolution 20-Type 1 Action-Long EAF

**RESOLUTION NO. 20
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HAMILTON**

**RESOLUTION MAKING A DETERMINATION OF ENVIRONMENTAL
NONSIGNIFICANCE AND ADOPTING LOCAL LAW 2012-1 AMENDING
THE ZONING CODE OF THE VILLAGE OF HAMILTON**

WHEREAS, proposed legislation denominated Local Law No. 1 of the Year 2012 of the Village of Hamilton, entitled “A Local law to amend chapter 174 of the Code of the Village of Hamilton”, has been duly introduced before this Board, and

WHEREAS, upon notice duly published, posted and served as required, a public hearing on the adoption of proposed Local Law 2012-1 of the Village of Hamilton was held by this Village Board on January 10, 2012 and was continued to, and closed on February 14, 2012, and

WHEREAS, pursuant to a referral duly made pursuant to the provisions of Section 239-m of the General Municipal Law, the Madison County Planning Agency has reviewed proposed Local Law 2012-1 and has recommended that the question of the adoption of this local law be returned to this Board of Trustees for local determination, and

WHEREAS, in consideration of comments made by the Madison County Planning Agency and by members of the public, the Board of Trustees has made minor revisions to the proposed local law to eliminate proposed new limitations on fraternity and sorority houses from the original text of the local, and to provide that two persons residing within the same dwelling unit shall be included in the definition of a “family” in order to lessen the possible impact of the legislation on existing apartment buildings, and

WHEREAS, this Board, after due deliberation, finds it in the best interest of the Village of Hamilton to adopt Local Law 2012-1, as amended, and further finds the proposed local law, as amended, to be in accordance with the comprehensive plan for the Village of Hamilton, and

WHEREAS, this Board received public comment on the local law, as amended, on February 14, 2012, and hereby determines that the amendments to the original text of

the local law lessen the potential impact of the legislation on property owners and residents as compared to the original text, and as such a new public hearing is not warranted, and

WHEREAS, this Board has reviewed the long environmental assessment form prepared for this local law, and has otherwise considered the likelihood of any potential adverse environmental impacts that might result from the adoption of Local Law 2012-1.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the enactment of Local Law 2012-1, as amended, is a Type 1 action, that there are no other involved agencies, and that the enactment of Local Law 2012-1, as amended, will not have any significant adverse effects upon the environment, and that a negative declaration be prepared and filed. The basis for this determination is that the proposed local law is a legislative act which effects only text amendments to the zoning ordinance which are not expected to lead to any specific development or physical disturbance of the environment. The enactment of this local law neither authorizes any development or construction activity, nor makes any such development or construction activity more likely. The intent of the legislation is to lessen the impacts of boarding houses in residential neighborhoods, and as such any impacts of the enactment of this local law would be beneficial to the community and the environment, and

IT IS FURTHER HEREBY RESOLVED that Local Law 2012-1, as amended, entitled “A Local law to amend Chapter 174 of the Code of the Village of Hamilton”, is hereby adopted, and that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Hamilton, and to give due notice of the adoption of said Local Law to the public and to the Secretary of State.

DATED: February 14, 2012
MOTION: Trustee Cooper
SECONDED: Trustee Kliman

Trustee Lura requested in paragraph 4, the word “law” be added after the word local. In paragraph 8, Trustee Lura requested “and a negative declaration be prepared and filed” be added at the end of the first sentence.

A **motion** was made by Trustee Lura to approve the amended resolution #19. The **motion** was seconded by Trustee Kliman and carried.

The original **motion** then carried unanimously.

Roll Call:
Mayor Miller – yes
Trustee Anne Clauss – yes
Trustee Sam Cooper – yes

Trustee Debbie Kliman - yes

Trustee Russ Lura - yes

Trustee Lura asked a question of Attorney Jim Stokes regarding the Town of Hamilton distribution of the unallocated fund balance.

A **motion** was made by Trustee Clauss to enter into an executive session at 10:45pm.

The **motion** was seconded by Trustee Lura and carried. A **motion** was made by Trustee Clauss to exit the executive session at 11:01pm. The **motion** was seconded by Trustee Cooper and carried

Old Business

Noise Levels: Tabled

Charters: No report

Adjournment

There being no further business to come before the Board, Trustee Clauss made a **motion** to adjourn. The **motion** was seconded by Trustee Kliman and carried.

The meeting adjourned at 11:04p.m.

Respectfully submitted,

Kim Taranto